

IN THE SPECIAL COURT OF EMINENT DOMAIN  
DESOTO COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PLAINTIFF

VS.

CIVIL ACTION NO. C02003-0352

MONTY S. WESTMORELAND and  
PATTI A. WESTMORELAND

DEFENDANTS

**LIS PENDENS NOTICE**

TO THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI:

You are hereby notified that the Mississippi Transportation Commission is seeking to acquire by eminent domain and has this day filed a Complaint to acquire fee ownership in the lands described in Exhibit "A" attached hereto and incorporated herein.

The interested parties are:

- (1) MISSISSIPPI TRANSPORTATION COMMISSION, Plaintiff;
- (2) MONTY S. WESTMORELAND Defendant; and
- (3) PATTI A. WESTMORELAND Defendant.

You are further requested to include this Notice and Exhibit "A" hereof in the Lis Pendens for records of said County as provided by law.

2003 APR 16 12 28 PM '03

APR 16 12 28 PM '03

BK 10 PG 242  
V.E. DAVIS CLERK

FILED

APR 16 2003

Debra H. Thompson  
CIRCUIT COURT CLERK, DESOTO COUNTY, MISS.

Submitted this the 16<sup>th</sup> day of April A.D., 2003.

MISSISSIPPI TRANSPORTATION  
COMMISSION, Petitioner

By: 

RICHARD G. NOBLE  
MB #3868  
Special Counsel

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022-3-00-W

IN THE SPECIAL COURT OF EMINENT DOMAIN  
DESOTO COUNTY, MISSISSIPPI

MISSISSIPPI TRANSPORTATION COMMISSION

PLAINTIFF

VS.

CIVIL ACTION NO. \_\_\_\_\_

MONTY S. WESTMORELAND, ET AL

DEFENDANTS

EXHIBIT "A"

**INDEXING INSTRUCTIONS:** Lot 5 of Lake Forest Business Centre as recorded in Plat Book 35, Pages 50-51 and Lot 9 and Lot 13, Lake Forest Business Center, Section "B" as recorded in Plat Book 60, Page 27 in the Chancery Clerk's Office of Desoto County, Mississippi, Section 25, Township 1 South, Range 9 West,

PARCEL NO. 1

Begin at a point that is 58.570 meters (192.159 feet) Northerly of and perpendicular to the centerline of survey of Federal Aid Project No. 46-0021-01-026-10 (100186/201000) at Highway Survey Station 4+125; from said point of beginning run thence South 62° 51' 33" East, a distance of 38.047 meters (132.667 feet) to the Eastern line of Lot 5, Lake Forest Business Centre; thence run South 00° 02' 06" West along said Eastern lot line, a distance of 22.496 meters (73.806 feet) to the present Northern right-of-way line of Mississippi Highway No. 302, thence run North 89° 57' 54" West along said present Northern right-of-way line, a distance of 31.507 meters (103.369 feet); thence run Northwesterly along said present Northern right-of-way line and the circumference of a

circle to the right having a radius of 12.192 meters (40.0 feet), an arc distance of 17.389 meters (57.051 feet) [said arc having a chord bearing of North 40° 07' 12" West, for a distance of 15.952 meters (52.336 feet) to the present Eastern right-of-way line of Poplar Corners Road; thence run North 00° 07' 21" West along the present Eastern right-of-way line of said Poplar Corners Road, a distance of 43.146 meters (141.555 feet); thence run South 27° 22' 56" East, a distance of 17.468 meters (57.310 feet) to the point of beginning, containing 0.140 hectares (0.347 acres), more or less and being situated in and a part of Lot 5, Lake Forest Business Centre as recorded in Plat Book 35, Pages 50-51 in the Chancery Clerk's Office of Desoto County, Mississippi, Section 25, Township 1 South, Range 9 West, and

PARCEL NO. 2

Begin at a point that is 24.000 meters (78.740 feet) Northerly of and perpendicular to the centerline of survey of Federal Project No. 46-0021-01-026-10 at Highway Survey Station 4+192.652, said point being hereby designated as Point "G" for future reference; from said point of beginning run thence North 48° 14' 06" East, a distance of 16.491 meters (54.104 feet) to the present Western right-of-way line of Lake Forest Cove; thence run South 00° 02' 06" West along the present Western right-of-way line of said Lake Forest Cove, a distance of 7.226 meters (23.707 feet); thence run Southwesterly along the circumference of a curve to the right having a radius of 9.144 meters (30.000 feet), an arc distance of 14.242 meters (46.726 feet) [said arc having a chord bearing of South 45° 40' 05" West, a distance of 12.845 meters (42.142 feet)] to the present Northern right-of-way line of Mississippi Highway No. 302; thence run North 89° 57' 54" West along said present Northern right-of-way line, a distance of 36.871 meters (120.968 feet) to the Western line of Lot 9, Lake Forest Business Center, Section "B"; thence North 00° 02' 06" East along said Western lot line, a distance of 22.496 meters (73.806 feet), said point being hereby designated as Point "F" for future reference; thence run South 62° 51' 33" East, a distance of 37.926 meters (124.429 feet) containing 0.058 hectares (0.144 acres), more or less, and being situated in and a part of Lot 9, Lake Forest Business Center, Section "B" as recorded in Plat Book 60, Page 27 in the Chancery Clerk's Office of Desoto County, Mississippi, Section 25, Township 1 South, Range 9 West, and

PARCEL NO. 3

Begin at a point that is 24.000 meters (78.740 feet) Northerly of and perpendicular to the centerline of survey

of Federal Aid Project 46-0021-01-026-10 (100186/201000) at Highway Survey Station 4+235; from said point of beginning South 89° 55' 34" East along a line that is 24.000 meters (78.740 feet) Northerly of and parallel with the centerline of survey of said project, a distance of 31.220 meters (102.428 feet) to the Eastern line of Defendants property; thence run South 00° 04' 26" West along said Eastern property line, a distance of 5.166 meters (16.949 feet) to the present Northern right-of-way line of Mississippi Highway No. 302; thence run North 89° 57' 54" West along said present Northern right-of-way line, a distance of 36.939 meters (121.191 feet); thence run Northwesterly along said present Northern right-of-way line and the circumference of a circle to the right having a radius of 9.144 meters (30.0 feet), an arc distance of 14.024 meters (46.010 feet) [said arc having a chord bearing of North 45° 43' 50" West for a distance of 12.690 meters (41.634 feet)] to the present Eastern right-of-way line of Lake Forest Cove; thence run North 00° 02' 06" East along the present Eastern right-of-way line of said Lake Forest Cove, a distance of 7.345 meters (24.098 feet) to a point that is 35.000 meters (114.829 feet) Northerly of and perpendicular to the centerline of survey of said project at Station 4+220.178; thence run South 53° 20' 44" East, a distance of 18.458 meters (60.558 feet) to the point of beginning, containing 0.030 hectares (0.075 acres), more or less, and being situated in and a part of Lot 13, Lake Forest Business Center, Section "B" as recorded in Plat Book 60, Page 27, Chancery Clerk's Office of Desoto County, Mississippi, Section 25, Township 1 South, Range 8 West.

Parcel Nos. 1, 2 and 3 contain an aggregate of 0.228 hectares (0.566 acres), more or less.

Together with any and all abutters rights of access, if any, in, to, over, on and across the lands described in Parcel No. 1 and between Point "F" and Point "G" as described above in Parcel No. 2.

All of the above excepting and excluding therefrom all oil and gas and other minerals which may be produced through a well bore.